

ORGANIZING THE SCALE OF LABOR REGULATION IN THE UNITED
STATES: SERVICE SECTOR ACTIVISM IN THE CITY

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ABSTRACT

Geographical scholarship on the localization of labor regulation, militant particularism in class struggle, and labor union activity has highlighted the need for workers to contest the scales over which their working lives are produced. Because these analyses have focused on the role of spatial competition and capital mobility in defeating labor struggle, and on the production of scale by manufacturing firms and workers, prescriptions for activism have tended to privilege inter-regional and international labor solidarity and regulatory mechanisms that might allow labor to operate at the same scale as capital. With a case study of service sector activism in the US city of Baltimore, I argue for attention to the *metropolitan* scale of pro-worker labor market regulation and organizing. By removing local labor activism from a juxtaposition against mobile capital, I add to existing geographies of labor regulation and resistance a theoretical and empirical focus on the importance of “spatial fixes” for workers at the local scale, and highlight the processes through which local struggles can be articulated with each other and with overarching regulation.

INTRODUCTION

Regulationist approaches in geography have identified the emergence of a strong dynamic of spatial competition under conditions of heightened capital mobility and a ratcheting down of regulation of key factors of production to the local scale. This

dynamic pits cities and regions against one another, disciplining places and workers' attempts to organize within them. Progressive reregulation of labor markets, according to this thesis, requires recreation of an effective national scale of labor regulation, which would create homogeneity across places, and so end the destructive "race to the bottom" of labor standards in which localities are currently engaged. Two complimentary sets of work contain similar prescriptions for collective action. Marxist geographers have problematized the militant particularism of class politics, highlighting the apparent inability of many local struggles to articulate with each other and create movements operating at higher levels of geographical resolution, as well as at higher levels of conceptual abstraction. The abstraction sought is a global ambition that recognizes and acts upon the "raw class content" of many forms of oppression. Second, labor geographers have examined the production of scale in US and UK labor relations by the state, firms and unions, and identified the importance of transnational forms of union solidarity, with examples largely from the manufacturing sector.

These arguments, and the political-economic analysis that underpins them, are convincing and demonstrate the importance of the spatial patterns of capital accumulation and unionism in labor regulation and resistance. Yet there is an interesting lack of fit between the kinds of prescriptions and foci arising from geographical analyses of labor and class struggle, and developments in contemporary labor activism in the US, which clearly do not reflect the "scaling up" so often advocated and examined. Rather, key labor movement strategies including the organizing focus of the AFL-CIO (the peak body for unions in the US), numerous "living wage" campaigns around the country and the efforts of labor-community coalitions, are targeting the city-scale, both as the scale at which

solidarity is organized, and the scale at which wages in many occupations can be taken out of competition.

In this paper, I argue for an attention to the progressive potential of locally scaled labor activism in certain contexts, and for consideration of the ways in which forms of local activism can be articulated with each other and with scales of institutional regulation. My purpose is not to suggest that locally contained mobilizations can effectively confront global capital, but rather to suggest that they do not always need to. Rather than asserting the significance of local resistance over global capital, I aim to remove local labor activism from a binary relationship to global capital both theoretically and empirically in order to open alternative useful entry points into the interrogation of locally scaled mobilization around, and regulation of, employment.

To this end, I first review the three geographical approaches to labor regulation and resistance outlined above. Second, I detail the lack of fit between some of these arguments and the realities of the low-wage service sector in the US, in which inter-regional wage competition is not a key concern. In the third section, I examine the emergence of intra-urban “spatial fixes” for both organizing workers and regulating wages with a detailed case study of low-wage service sector activism in the east-coast city of Baltimore and the living wage movement that this activism engendered. Here, I also demonstrate the importance of empirically examining the processes through which local struggles can become more generalized, as well the ways in which articulation between scales of the institutional regulation of work and scales of labor organization are actually played out.

GEOGRAPHIES OF LABOR REGULATION AND RESISTANCE

Theorists engaging regulation theory have sought to articulate the relationship between the emergence of flexible accumulation and the more localized modes or processes of regulation which appear to be undergirding accumulation (Jessop, 1994; Jessop, Peck and Tickell, forthcoming; Peck and Tickell, 1992, 1994; Tickell and Peck, 1995; Painter and Goodwin, 1995). In these arguments, Keynesian demand side management has been subordinated to supply side strategies in the pursuit of international competitiveness through labor flexibility. This imperative has been sharpened by the institutional creation of dynamics of spatial competition, in which some responsibility for control over the pricing and availability of key factors of production is ratcheted down to the local scale, either through explicit decentralization policies or through merely failing to plan for regions and localities at the national scale. Spatial competition in turn has created a vulnerable climate for job creation and maintenance, and this climate appears to require proactive approaches on the part of local state actors to attract and keep capital (see also Harvey, 1989a). These efforts may comprise local state offerings of discounted infrastructure, of a labor force with particular desirable characteristics, of tax breaks, or of institutional resources for economic activity.

Examining such processes, several theorists have pointed to the emergence of locally or regionally distinctive production milieus and labor control regimes (Swyngedouw, 1992, 1997; Preteceille, 1990; Peck, 1996; Haughton and Peck, 1996, Jonas, 1996). Such regimes allow repositioning of firms' control over local labor supplies through mechanisms like enterprise-scale bargaining and deployment of subsidized workfare recipients. Other examples of such localization of control over labor supply

include the decentralization of training boards in the UK and their subsumption under the interests of locally represented firms (Peck, 1996; Haughton and Peck, 1996, Peck, 1998). In Haughton and Peck's estimation, nationally arbitrated norms of some form of social solidarism, full employment and employment security have largely given way to forms of labor market flexibility and contingency secured through the localization of labor control (1996: 319).

Peck (1996) refers to these localizing strategies as "putting labor in its place" or "localizing labor". In the context of a localization of labor supply mechanisms, he views local movements for change as doomed to failure:

local action can only be part of the solution and, uncoordinated, it may remain part of the problem. At the risk of sounding politically naive or theoretically passe, action to "take labor out of international competition"...must be organized at the level of the nation state and above. In order to reverse the downward ratchet of labor deregulation, political action must confront the level at which the rules of regime competition are set (the supranational/global) not that at which the rules are carried out (the local). (Peck, 1996: 257).

Swyngedouw (1992) similarly argues that in the absence of a national or supranational social contract, a diversity of local regulatory and institutional structures is emerging. Meanwhile, the left in Western countries has responded by shifting its own focus to the locality, but these localization processes only increase the power of capital over space. Evaluating the type of local struggle that can arise around scaled down modes of regulation, he argues that resistances seem to increasingly revel in some kind of militant particularism, in which "local loyalties, identity politics and celebrating the

unique self from the different Others attest to the impotence to embrace an emancipatory and empowering politics of scale" (Swyngedouw, 1997: 175). This is consistent with Harvey's conceptualization of militant particularism. While Harvey does not point to any particular process of localization of the institutional regulation of labor over time, his analysis of the relations between the politics of place and a broader socialist struggle are relevant here. He laments the ability of class movements to control place but not to command space as does capital. While conditions of uneven geographical development "offer abundant opportunities-- and extraordinarily varied and unstable terrain--for political organizing and action", they also frustrate coherent anti-capitalist struggle (Harvey, 1996: 430-431). In his words:

Oppositional movements are generally better at organizing in and dominating place than they are at commanding space. The "otherness" and "regional resistances" that postmodernist politics emphasize can flourish in a particular place. But they are easily dominated by the power of capital to coordinate accumulation across universal fragmented space. Place-bound politics appeals even though such a politics is doomed to failure (Harvey, 1993: 24).

A key thread of Harvey's work is an insistence that movements must negotiate the tension between the affective ties people have to places and the abstractions that are necessary to build the broader movements that can more progressively shape those places (Harvey, 1996: 19-45). To Harvey, this will only occur when local struggles accept the "raw class content" of their resistance and articulate with the higher scale of spatial and conceptual abstraction of class struggle, defined here not in the limited sense of working

class revolution, but as contestation of the relations between many forms of marginality and the mode of production (Harvey, 1996: 432).

These arguments for a scaling up of activism with the creation of inter-place working-class movements and overarching regulatory mechanisms for pricing labor are complimented in the growing scholarship on scales of labor activism. The literature on the production of scale has tended to see scale expansion as a key precondition of capital accumulation based on uneven development (Smith 1984; Harvey, 1989b), and the reduction of the scale over which labor can organize as key to the subjugation of workers. Herod (1991) and Clark (1989) make the case that the ability of US capital to organize the scale of labor relations has been vital to the management of union power. The decentralization of US unionism established under the National Labor Relations Act (NLRA) (1935) and later the Taft-Hartley Act (1947) prevented union organization from occurring at the national scale. Together these pieces of legislation mean that unions have to form from the ground up as "locals" on a workplace by workplace basis, and that union locals cannot easily support each other, because of secondary boycott prohibitions (Herod, 1991: 85). In Herod's words (1991: 87), "Capital's strategy to fragment tendencies towards collective action on the part of unions has fundamentally been concerned with controlling the geographic scale at which class struggle has become manifested".

While Herod (1991) and Clark (1989) have documented the practices of the state and firms in the US that localize labor's bargaining power, and shown that this localization generally benefits firms, labor geographers have also shown how unions produce different scales of activity in response to a number of factors. While regulationist

and militant particularism arguments usefully highlight the emergence of a problematic strategic context for labor, labor geographers, on the other hand, ask a different question beginning with labor as the primary object of analysis and workers as agents of economic geographies. These geographers consider more closely the strategic fields of opportunity and constraint in which organized workers operate (Herod, 1998; 1997a: 25). These fields are certainly shaped by capital flows and by state regulation but organized workers also manipulate the scale of their organization to reconstruct strategic fields and their relative power within them. Thus instead of looking for one appropriate scale at which labor should organize, Herod chooses instead to highlight the ways that goals other than taking wages out of competition and building solidarity influence unions' manipulation of scale, most notably, the imperative for unions to maintain their own membership base and organizational strength (Herod, 1997b: 187).

At times, "scale jumping" may be a logical strategy, and the recent interest in transnational organizing highlights these opportunities - the globalization of national economies, whilst damaging to workers, also offers opportunities for transnationalism. Thus Herod suggests that "one of the greatest contemporary challenges that workers and their institutions now face is the internationalization of production and the globalization of the world economy" (Herod, 1995: 354). He examines the success of locked out workers at the Ravenswood smelter in West Virginia in forging a transnational solidarity network that helped then ultimately win a new contract (Herod, 1995). Wills likewise explores the potential of European Works Council as a vehicle for transnational labor solidarity, noting that the internationalization of capital holds some strategic promise for

workers, by bringing them into contact with each other. She argues for transnationalism combined with grassroots organizing in everyday life (Wills, 1998: 114).

At other times, however, union locals can themselves prefer a localized regulatory environment, where their power exceeds that which may be realized in a homogenous regulatory framework, as in Herod's case study of the US longshore industry (Herod, 1997a; 1997b). In making arguments in this way for the context driven nature of both capital and labor's production of scale, labor geographies have nonetheless been preoccupied with manufacturing sector capital and workers (and transportation services distributing manufactured goods), and therefore on the structuring role of inter-regional and international capital flows. Even where the argument has specifically been made that local activism is important, it is within this dominant context of spatial competition that the argument has been couched. Thus, Jonas concludes that the local must be understood as an important terrain for the shaping of political responses to globalization, and suggests that locally grounded labor-community coalitions can impact economic landscapes of globalization (Jonas, 1998; 1992). The local scale then has often been viewed as important in shaping activist identities and responses (see also Wills, 1996; Martin, Sunley and Wills, 1996), but it has rarely been viewed as a scale where labor can be effectively reregulated.

Despite the conceptual flexibility of geographical approaches to labor regulation and resistance to allow for less mobile forms of capital and for workers to produce scale organizations relevant to different contexts, in reality, the work collectively privileges inter-regional and international labor solidarity and regulatory mechanisms. Local activism can be conceptually emasculated in these analyses, appearing as important

context, but not as a scale at which spatial strategies need to be forged to organize workers or as a logical scale at which to target new forms of pro-worker labor regulation. An exception on both counts is Savage's (1998) study of US service sector organizing, which highlights the activities of the Justice for Janitors campaign in organizing and regulating the local labor market for custodial work in Los Angeles. This work offers a focus on the local spatial strategies that are necessary to organize workers into a union and regulate the service labor market [see also Tufts' (1998) work on community-based organizing in Canada].

Furthering Savage's (1998) empirical focus on the geography of the service sector and the challenges it presents, I want to explore approaches to "the local" that move beyond a juxtaposition of the power of the local to the power of capital flows within global capitalism. Here, I should underline that my concern is not with making a theoretical and political claim that "there is power in the local" under conditions of capital mobility, but rather with investigating local activism and local forms of labor regulation *without* positioning the local as one half of a set of local-global, embeddedness-mobility, place-space, labor-capital dualisms. Such dualisms, as feminist political-economists have argued, tend to construct capitalism as a unified, singular and total system in which powerful unencumbered multi-national corporations roam. Within this construction, places appear as vulnerable sites that passively receive injections of capital (Gibson-Graham, 1996). An alternative view of the relations between capital flows and places sees places as particular unique points of intersection in networks of relations that are more complex than patterns of accumulation (Massey, 1993).

These approaches allow not only for processes other than capital mobility to structure places, but for analyses of the situation of places in relation to each other that emphasize links and articulations rather than uni-directional causal flows. In highlighting cases where capital mobility is not a key constraining context, I aim to shift attention to the large proportion of jobs in the US that require more effective pro-worker forms of labor regulation, but where spatial competition is a less important constraint than the fragmented geography of the work itself. In so doing I attempt to reconceptualize local labor struggles to emphasize: their constitution through spatial contexts and processes *other* than a vulnerable location within global capitalism; the processes through which local struggles can become articulated with each other; and, how forms of institutional regulation of work must be articulated with local struggle.

LABOR ORGANIZING AND REGULATION IN THE US SERVICE SECTOR

As Herod (1991) and Clark (1989) have noted, national scale collective bargaining has been strongly precluded in the US by the decentralized process through which unions are formed and may bargain contracts. Unions are created when individual worksites can show a majority of support for a union, and when the employer can be forced (or chooses) to recognize that union. Worksites form or join union locals of national or "international" unions, and then attempt to bargain contracts with the employer. Despite this decentralization, some workers were, during the long boom, covered by pattern agreements bargained between nationally positioned employers and unions (most notably in autos) (Moody, 1987: 137). Firms, however, were not required in any way to bargain pattern agreements, and they did not cover those workers outside

nationally consolidated industries or in small establishments. Patterns are now almost nonexistent, because of deindustrialization as well as attacks on patterns orchestrated by President Carter and his administration in the late 1970s that continued in the 1980s (Moody, 1987: 137).

This pre-existing worksite based collective bargaining system in the US, in combination with economic restructuring that has decimated unionized manufacturing jobs and proliferated low-wage service sector jobs, has created the need for a new "spatial fix" (after Herod, 1995) for the US labor movement. Spatial competition is not the key challenge for unions seeking to organize workers in the service sector, and therefore arguments that wages must be taken out of competition by national and transnational regulation overlook a large proportion of jobs in the US. One third of US employment (32.5 percent in 1996) is accounted for by a selection of low-wage service occupations, including cashiers, retail sales persons, janitors, nurses aids, home health aids and security guards. These jobs are projected to continue growing to 2006 at an average rate of 18.7 percent while all occupations are projected to grow 14 percent in that period. Meanwhile, operators, fabricators and laborers now constitute 13.5 percent of the workforce and these jobs are projected to grow at the slower rate of 8.5 percent until 2006 (Silvestri, 1997: table 2).

To make the argument, however, that "the service sector" is free of spatial competition would be to overlook the complexity of that sector, and overplay the significance of a shift towards service work in advanced industrial economies. As Sayer and Walker note (1992: 65), ultimately all goods require labor service inputs, and all labor services are produced with the use of goods, thus the distinctions are somewhat

arbitrary and their significance lies in their place within the web of intermediate and final outputs in an economy. Although services are tied in a derivative fashion to production and circulation activities, the occupations within service work range from data processing, that may or may not be spatially fixed to a region, to janitorial work, which is directly tied to buildings and provide a labor service that is not tradable. The derivative nature of the service sector does not free it of direct spatial competition, but where the labor market and product market of a service (or good) are contained by roughly the same geographical boundaries, spatial competition will be weak. This would indeed tend to be the case for the key low-wage labor services listed above, and this overlap provides strategic opportunities for unions to demand wage increases. Put plainly, a building that needs to be cleaned cannot be sent to a low-wage state and returned after low-wage workers have performed the task, and nor can group of people wanting a hamburger in Washington DC be easily transported to adjacent Virginia, where wages are lower, to be served. Card and Kreuger's study of the impacts of a minimum wage increase on the New Jersey food service industry suggests that in industries where the product market is local, increases in wages can be passed on in the form of higher prices (Card and Kreuger, 1995: 52-56). When wage rises are mandated for all firms competing within the bounds of the product market, such price rises do not impact competitiveness.

Inter-regional competition, or perhaps more realistically, the *threat* of relocation, of course is not the only occupational or industrial characteristic that can undermine workers' efforts to organize in particular places more generally (see Weil, 1994). The larger problem for organizing in the low-wage service sector would not appear to be spatial competition, nor is it the likelihood of rapid substitution of fixed capital for labor

in response to wage pressure, but rather the fragmentation of service work across cities. In her study of the US service sector, Christopherson (1989) notes that the service sector is dominated by large firms with multiple establishments across urban areas or regions. Indeed, the ongoing reorganization of work in the service sector has often produced multiple establishments out of one worksite. For example, by separating skilled nursing from routine care, the routine jobs can be shifted from hospitals into nursing homes or private residences, and one fixed site has become hundreds across the city (see also Reimer, 1998). In part because of this service industry restructuring, and in part because service occupations are spread across manufacturing and government establishments, service workers within the same occupation are rarely clustered under one roof, but are rather spread across multiple worksites. These worksites may be spatially tied to a region, but as Persky and Wiewal (1994) and Nelson (1986) have noted, the suburbanization of service work is common. Such suburban sites may be "greenfield" sites in terms of union density. The fact that much low-wage service work tends to be spatially dispersed across cities, part-time, high-turnover, organized on a subcontract basis, producing weak worksite attachments for workers, requires, many would argue, a new form of unionism that moves beyond the industrial model of worksite based unionism.

Worksite based unionism and its attendant organizing strategies (mass leafleting and advertising, in preparation for union certification elections) would appear to be most efficient for large worksites, where workers are employed full-time in a fixed location, that is, for the mass production jobs for which the NLRA was created (duRivage et al, 1998). Worker mobility across the service industry and other worksites frustrates this form of unionization. Furthermore, subcontracting is poorly provided for under the

NLRA. While there is a provision for the National Labor Relations Board (NLRB)¹ to recognize joint employers, more often the client company (for example, the large downtown building that hires 20 janitors through a subcontract firm) is not recognized as having any control over the subcontract workers' wages. Targeting the purchaser can be interpreted as a secondary boycott, and if a purchaser chooses to replace a unionized contractor, there is no formal legal recourse under federal labor law for workers (duRivage et al, 1998: 268-269). Finally, the traditional mechanism for workers to form a union requires an election through the NLRB. During the period between filing and voting, it is common for employers to actively oppose the union, to hire lawyers specialized in preventing organizing, and to conduct a series of "captive-audience" meetings with workers, in which arguments are presented to workers against joining unions (Bronfenbrenner and Juravich, 1994). In combination with high turnover of service workers during these months, worksite elections are sometimes difficult to win.

The lack of fit between the industrial unionism model and service work has prompted academics to prescribe labor law reform (Wial, 1993; Cobble, 1994; duRivage et al, 1998) and academics and activists alike to call for new models of unionism that transcend the workplace (see the essays in Nissen, 1999; Mantsios, 1998; Bronfenbrenner, 1998 and Mort, 1998). Prescriptions for new forms of unionism and efforts on the ground to form new models of unionization in the service sector commonly emphasize the need for non-worksite based methods that can accommodate worker transience and spatial dispersion, both in the sense that a scale of organization larger than

¹ The NLRB is the federal agency that administers the National Labor Relations Act (NLRA). Its primary responsibilities are to determine union election results and adjudicate unfair labor practice

the individual workplace is formed, and that a number of extra-worksite institutions and players are involved. Thus Cobble (1991) argues that service unions need to control the supply of labor to the multiple workplaces across cities to which workers are deployed, by developing hiring halls based on strong occupational identity and recognized classifications of skill. Wial (1993) emphasizes the need to cover the whole service labor market, outlining an occupational-geographical model of unionism, in which unions draw heavily on community organizations to build bargaining power with both subcontractors and the purchasers of subcontract labor to negotiate multi-employer agreements that take wages out of competition within the bounds of the product market.

THE BALTIMORE LIVING WAGE LABOR-COMMUNITY MODEL

In Baltimore, the instantiation of these processes of subcontract service sector growth, and the lack of fit between traditional union structures and techniques and the growing low-wage service sector population led to the formulation of *city-scale* worker organizing and wage regulation strategies. These strategies were developed within an alliance between AFSCME (American Federation State County and Municipal Employees), one of the largest public sector unions in the state, and BUILD (Baltimoreans United in Leadership Development) an association of 50 mostly black churches in the city with deep roots in the civil rights movement and an affiliation with the Industrial Areas Foundation, a network of church-based community organizing groups.

claims brought by employers or workers/unions.

The Emergence of a Living Wage Model

BUILD and AFSCME shared similar concerns about the proliferation of low-wage jobs in the city, the same constituency of low and moderate income, largely African-American workers, a common interest in city and state politics, and a commitment to experimental organizing techniques. In addition to these bases for an alliance, AFSCME was facing declining membership due to rapid privatization of city services. Its core constituency of full-time permanent workers was being lost to subcontract firms organizing work on the type of part-time and contingent basis outlined above. AFSCME needed to find a way to follow these workers into the private sector, to deal with the problems of organizing within subcontract firms competing for contracts and operating in multiple workplaces, and to build a movement of low-wage and subcontract workers. As Kim Keller, the director of AFSCME International in the state of Maryland explains "A lot of our interest was because there's a lot of privatization in the public sector. We wanted to figure out a way to recapture that work" (Keller, interview with author).

At the same time, the BUILD church leaders were becoming increasingly concerned about the growth of the working poor in the city. Moderate income African-American families were moving out of Baltimore city to the suburban counties, and the remaining population of African-Americans were struggling to find well-paid secure employment. The churches were also losing their core constituency - securely employed African-Americans living in the inner city. Baltimore had vigorously pursued, indeed some even say defined, the entrepreneurial model of urban economic development now prevalent in the US based on poaching firms with subsidies and tax incentives (Harvey,

1991; 1998). In need of solutions to job loss as heavy industry departed, BUILD leaders had largely supported the efforts of the local growth coalition, dubbed Baltimore Inc by Levine (1987; forthcoming). It eventually became apparent to BUILD that the "Inner Harbor" development that emerged, comprising luxury hotels and high-rise apartments, offices, sport stadiums and generic retail tourist attractions, was not replacing jobs lost through deindustrialization with work of comparable pay and stability. Rather, low-wage high-turnover, part-time, nonunion jobs were growing in food service and janitorial work, and the workers from the Inner Harbor, amongst other employed people, were turning up as the new working poor in the soup kitchens run by the constituent churches of BUILD.

During the 1980s, BUILD had used a combination of public demonstrations, voter registration drives and electoral lobbying to promote particular platforms for the city, focused on housing, education, city services, and health care (BUILD, no date; Orr, 1992). In 1992, BUILD developed a new social compact that shifted its emphasis to the workplace issues that were impoverishing its constituents. The social compact was the result of hundreds of one on one meetings by organizers hired by BUILD and some of the BUILD pastors themselves, to try to work out what the problems were facing low-wage workers in the city, and how they could be tackled. Arnie Graf, who was the lead organizer for BUILD until the early 1990s explains why BUILD as a community organization, decided to become involved in an alliance with AFSCME:

A lot of our organizing became pushing government to organize subsidies to supplement the downward spiral of people's wages. And then this whole move towards temp work, contract work, contracted out work, part time work, two jobs, two and a half jobs per family, unions were losing their strength to address

those issues. And so we began to move into that arena. And we moved into the arena of low-wage work because that's our constituency. That's who lives around the churches and the neighborhoods where we are (Graf, interview with author).

BUILD's understanding of the labor market conditions faced by their African-American constituents is reflected in an analysis of Baltimore's low-wage labor market. Relative to their numbers in the city, African American men and women are overrepresented in low-wage service jobs, commonly working as janitors, food service workers, and parking lot attendants at incomes under the median hourly wage for these occupations. Although African-Americans constitute 59% of Baltimore's population, they make up 71% of low-wage service workers, with women constituting approximately half these workers. Within particular low-wage service occupations there is further racial segmentation, with African-Americans constituting 84% of janitors in the city, and gender segmentation, with women over-represented in personal services (84% of workers) and strongly underrepresented in the growing occupation of security guards (26%) (Niedt et al, 1999). African-Americans and women in Baltimore, as in other cities, tend to be concentrated in these kinds of low-wage service occupations that are fragmented geographically, constituting a small proportion of employees in the workplace in which they are located, and often working part-time in a series of precarious employment situations.

Regulating the City-Wide Labor Market

AFSCME and BUILD organizers wanted to target these low-wage service workers, many of whom work not only in multiple short-term jobs in any one year, but in more than one occupation. In addition to organizing workers across low-wage service

occupations and industries, the AFSCME-BUILD alliance is experimenting with new ways of regulating wages for service workers based not on the formation of worksite unions, but on the creation of an overarching regulatory mechanism that raises wages irrespective of whether workers are in a union or not. According to BUILD's current lead organizer, "What we're doing is a kind of geographic model, we're saying we're going to create labor standards inside a certain geographic place " (Lange, interview with author).

To do this, the alliance sought to target some of the largest employers of low-wage service labor in the city – the large hotels that had been heavily subsidized by public subsidies. At the end of 1993 BUILD leaders demanded accountability from these employers in the form of decent wages. In the Baltimore Sun, the pastors who chaired BUILD wrote:

The old social contract that promised a decent life in return for hard work and thrift is dead. BUILD church leaders can no longer stand by and witness the growing number of families among us who are working for their poverty... When private entrepreneurs take public money in the name of the public good should the public not expect accountability rather than arrogance? We simply demand that all corporations requesting and enjoying public assistance through subsidy must in turn provide jobs that pull people out of poverty (Butler et al, 1993: 19A).

BUILD demanded "a living wage" for jobs in the subsidized downtown service sector, training programs that might promote African-Americans to middle level jobs, and a fund for benefits and training for downtown workers. The Inner Harbor hotels responded to BUILD's agitations with some piecemeal training programs, but refused to

pay a living wage, and the city could not be moved to pressure the hotels. The group shifted its target from the hotels to AFSCME's realm of expertise - the city itself, again demanding a living wage, and this time formulating a measure of the wage based on the assumption that no family of four with one full-time working adult should live under the poverty line. The alliance argued that at the least, if firms receiving subsidies from the city could not be forced to pay a living wage, firms doing city work on a contract basis must. The measure was passed in December 1994, not without significant opposition from local firms, raising the pay of service workers contracted to the city to \$7.70 over 4 years, beginning at \$6.10 in July 1995 (when the US federal minimum wage was \$4.25).

The ordinance covers approximately 1500 jobs, with the largest categories of jobs covered including school bus aids, school bus drivers, janitors and food service workers, most working for the school district. Many of these jobs remain high-turnover, thus the Economic Policy Institute notes that if each living wage job were considered to be held by 2 people, approximately 15 percent of the low-wage labor force in Baltimore may at some time during the year hold a living wage job (Niedt et al, 1998).

This living wage law then is a creative response to a number of problems, including the absence of an effective national scale of labor regulation in the US, which basically consists of a minimum wage of \$5.15 an hour (in 1999) that keeps working people in poverty and for which rises are contingent upon the will of the Congress. It is also an attempt to take away the financial incentive for the contracting out of services, which has fragmented AFSCME's constituency. More broadly, it is an attempt to hold the city more accountable for the well-being of its residents and part of a larger questioning about how the city spends public money in economic development. The living wage is

also and perhaps above all an attempt to overcome the difficulty of organizing contingent service workers spread across the city using traditional organizing drives and collective bargaining mechanisms. Instead, the alliance used its combined political clout and prowess to leverage the city to create an overarching set of labor standards that raised wages for service workers irrespective of whether they were in a union or not.

Organizing the City-Wide Labor Market

Organizers argue that in the context of fragmented labor markets, it is necessary to create a union structure that allows for the mobility of workers between worksites and jobs, and an organizing strategy that accommodates weak attachments to workplaces by involving non-worksite institutions. Arnie Graf explained these imperatives in this way:

It's not like you can go into a factory and leaflett a thousand people coming in and they're going to be there. It's much more fluid and secondly, we have to figure out how to relate a variety of issues which poor people are facing. And it's not going to work to organize people just at the workplace (Graf, interview with author).

Together, AFSCME and BUILD developed the Solidarity Sponsoring Committee (SSC), an organization of low-wage workers crossing occupational and industrial lines, and includes janitors, food service workers, and bus drivers and aids, most of whom are employed by private firms contracted to the city. SSC offers workers a highly subsidized membership rate that includes health benefits (US\$10 per month). The benefits and membership are portable, so workers can keep their membership of SSC when they shift jobs. In addition SSC set up its own "temp agency", so that if workers get fired for

organizing, they can be placed in work the next day. The SSC temp service is a small step in a long term plan to control labor supply to the low-wage service sector, reminiscent of the craft union hiring hall. SSC has grown to have about 500 members, all of whom are low-wage, many part-time, high-turnover service workers, many of them working for subcontractors. The organization is different from a traditional trade union local, because it crosses worksite, occupational and industrial lines, and provides portability for workers as they move between jobs in the city.

In confronting the weaker attachments of workers to their workplaces, SSC represents an attempted "spatial fix" that draws heavily on non-worksite institutions to engage workers. Organizers argue that not only are workers not attached physically for particularly long periods of time to a workplace, but they are also not attached through a sense of identification with other workers. They argue therefore that a site other than the workplace must be used, both to find contingent workers physically, and also to engage their identities and create consciousness about work and ways of organizing for better wages and conditions. SSC therefore works with and through the BUILD churches in inner city Baltimore as a place for meetings and rallies to take place, and also as a place where workers find some meaning and some values that can be mobilized for labor activism. Jonathon Lange puts it this way:

As an organizer, you have to go where people are gathered, number one. Second, you got to go to those institutions that people really value, and that inculcate values. The church does that. It gathers people, organizes them for power, and it teaches values. What other institution is left in this city? The extended family? It's weak. Neighborhood? It's a joke. The workplace is a very tentative set of

relationships if any relationships at all... How important are the relationships at work? It's not even a question of how important they are. There are no relationships at work (Lange, interview with author).

In concrete terms, the alliance between labor and the church in Baltimore means that SSC meetings take place in the Union Baptist church in the inner city, instead of at a particular work site or office of a union local. Meetings begin and end with prayer, and discussion of organizing tactics often make use of relevant passages from the Bible. The organizers tend to view the church as one of the last functioning institutions in the inner city, and a source of mobilization for African-American people. This alliance is one that is common to the Industrial Areas Foundation of which BUILD is a part, which operates on a community organizing model of institutional membership, rather than individual membership. Commonly, the institutions with which the IAF builds networks are church-based groups such as BUILD (Robinson and Hanna, 1994). Yet SSC represents a local divergence from the IAF model, because it is an effort to organize the unorganized into a membership group. Thus BUILD, the IAF and AFSCME are developing a new way of doing joint organizing that draws on the strengths of the labor movement and of community-based organizing to overcome the disrupted relation of employer to employee at particular workplaces.

Spatial Translation and The Growth of the Living Wage Movement

The willingness of Baltimore labor activists to experiment with non-worksite based organizing and wage scaling methods, and the outcomes of this experimentation, reflect the particular institutional landscape of labor and community organizations in that city.

Yet, although the living wage idea was hatched within an ongoing conversation amongst AFSCME organizers and BUILD church leaders and organizers in Baltimore to attack local labor market conditions, the strategy has been successfully reproduced in more than thirty-five cities that have passed living wage ordinances. In 1995, a living wage coalition in Santa Clara County California achieved what AFSCME-BUILD had been unable to do in Baltimore, by covering large private employers receiving local economic development incentives, and a number of other cities have followed suit. Ordinances across the country variously cover workers contracted to cities on contracts of certain values, firms receiving subsidies or tax abatements, and include other attachments about employers' responsibilities to workers, such as requirements for new contractors to hire existing workers (Reynolds, 1999).

What began as a place-specific manifestation of an alliance between two political groups with particular roots in Baltimore has translated across different spatial contexts and traditions to produce what must now be seen as a national movement (Pollin and Luce, 1998; Reynolds, 1999). Jonathon Lange, the lead organizer on the campaign, explains the birth of the living wage movement in this way:

No-one sits there a priori and says "well what we need is a living wage". It didn't come out of some...conference, excuse me...where it's saying "America needs a living wage" and all of us try to go back to our cities and try to build coalitions to do that. It got invented in the middle of action and reflection and relating to another group, relating to AFSCME and relating to another group of workers, like low-wage custodians. We'd already done 500 one-on-one meetings with low-wage workers before we'd invented this thing (Lange, interview with author).

Here, Lange underscores the fact that the national living wage movement has developed out of a process of spatial translation of locally developed strategies, rather than through a process of articulation between local and national scales of regulation or of conceptual abstraction. While commentators now rightly view the movement as a national one, there is, however, no national coordinating body for living wage campaigns. Local campaigns learn from one another and the national office of ACORN (Association for Community Organizations for Reform Now) provides strategic and research support to those campaigns that seek it. The AFL-CIO endorses the living wage movement, and its regional bodies – the state labor federations and central labor councils – are involved in campaigns in some localities, but not in others. In addition, two national living wage bills to make similar attachments to federal expenditures have been discussed, one introduced to Congress by a Democratic Congressman (H.R. 182 *Federal Living Wage Responsibility Act*) and the other proposed by the Industrial Areas Foundation (Fletcher, 1999). The national movement, as it is, is the product of an accretion of uncoordinated local campaigns that draw on a loose framework which allows mobilization to occur within the particular labor market and economic development contexts, and the union and community landscapes, of localities.

Articulating Scales of Regulation and Resistance

The Baltimore living wage law and the Solidarity Sponsoring Committee organizing effort together represent a set of spatial strategies designed to respond to the particular fragmented geography of the low-wage service sector and the problems of organizing it using methods that assume ongoing relationships between employers and

employees at particular worksites. The Baltimore living wage model is not without its problems, and these problems have been repeated across the other living wage campaigns; indeed, they have been more pronounced in other cities.

These problems relate to the very difficulties AFSCME-BUILD are seeking to overcome – the creation a city-wide wage scale in the absence of a shop-floor enforcement mechanism of organized workers. Traditional collective bargaining approaches articulate worksite organization with higher scales of wage regulation when all relevant employers in a product market are covered (or in some industrial relations systems outside the US, through industry-wide bargaining coupled with union workplaces). However, finding mechanisms to piece together workers, worksites, and overarching regulatory mechanisms remains a challenge in the new institutional context in Baltimore and other living wage cities.

Because the initial movement was not based on organizing all of the workers affected and there is no vehicle of the 1500 or so “living wage workers”, compliance with the living wage ordinance relies on the honor of the contractor, or on the oversight of the City’s Wages Commission. Despite provisions that require contractors to provide payroll data to the Commission, the SSC has found itself in the Commission on numerous occasions to bring errant contractors into compliance (Lange, interview with author). Contractor compliance and the oversight of the Commission appear to be much less effective than the kind of shop-floor enforcement mechanism the organized workplaces and union contracts provide.

Similarly, SSC as an organizing strategy also reflects the problems of building new institutions for new forms of work, in the context of worksite-based labor law and

union traditions. The portability of membership comes as a corollary of not doing worksite collective bargaining based in winning a union election or achieving recognition from the employer. Relatedly, the agreements SSC makes with particular employers cover only four key terms: the living wage, automatic deduction of dues from the pay check (key to building an organization), first right of refusal, meaning that if a site fails to renew a subcontracting arrangement, the new subcontractor must offer a new position to the SSC member; and the right to organize (employers agree not to use anti-union tactics in potential organizing drives). These terms are vital for regulating the new realities of high turnover subcontract service work, but they offer less than a standard union contract that might be won through collective bargaining at the worksite. Further, because worksite contracts and union recognition are lacking, enforcement of the key terms requires constant political mobilization and direct action, and so the life of SSC's agreements may be less secure than union recognition and the imperative for employers to bargain "in good faith" that this brings.

In addition to the problems of relating the wage regulation mechanism contained in the ordinance with shopfloor organization, it must be noted that the coverage of the labor market so far achieved is limited. While the living wage ordinance represents an important attempt at regulating the city-wide labor market for service work, in the sense that it attaches wage requirements to contractors doing business with the city, it does not cover enough employers to raise the floor on the labor market, or assist the thousands of low-wage workers employed by large employers like the Inner Harbor hotels and the Johns Hopkins University and Hospital system - the largest private employer in the state of Maryland. Furthermore, those employers in the covered sector always have some

opportunity to reorganize the labor process in response to progressive reregulation. In the Baltimore case, the city's own directly employed pool of workers, (in a division aptly entitled "Sundry Employment Services") has expanded to provide the city's own contingent workforce. These few hundred workers are not recognized under the existing AFSCME contract with the city, nor are they covered by the living wage, which only regulates contract workers – they are effectively outside regulation. Again, a closer articulation of the experiences of particular workers in particular workplaces within the city with the ordinance is required.

Any effort to evaluate the possibility of reregulating wages by creating overarching mechanisms that are not an accretion of individual organized units must be cautiously optimistic for all of these reasons. How then, an experimental city-wide union local in the US can attempt to account for the mobility of workers through workplaces, and yet maintain forms of workplace organization in which individual employers are held accountable remains a challenge for further institutional experimentation.

CONCLUSIONS

Recent strains of geographical thought have identified a shift towards a localization of labor regulation, a regressive militant particularism in class struggle, and the production of scales of organization by labor unions seeking to operate effectively within global capitalism. These approaches provide strong analyses of the spatial constitution of workers' relative vulnerability to firms in the contemporary environment, but they apply most closely to manufacturing work, transportation services distributing manufactured goods, or to service work in which the product and labor markets are

spatially separated, facilitating industrial location on the basis of wage levels, or threats of relocation. The importance of prescriptions for national scale regulation of key factors of production including labor, inter-place solidarity, and a linking of workers in a global economy cannot be disputed. However, consistent with arguments that labor must operate at the same scale as capital, there is significant potential for locally-scaled wage regulation to take wages out of competition by inventing local forms of wage regulation where inter-regional and international spatial competition is muted, namely under conditions of low-wage service sector growth.

Here, we can add to analyses of, and prescriptions for “scaling up”, by turning our attention to the one third of American workers who are in low-wage service occupations that are not subject to significant pressures of spatial competition, because the product and labor markets for their labor services overlap. In such a context, labor struggles that draw heavily on local landscapes and resources and that target small geographical areas like municipalities as the scale at which to institutionalize gains should be not automatically be viewed as regressive, but as necessary responses to the spatial characteristics of new forms of employment and capital. As much of the new labor geography makes clear, the production of scales of organization is contingent and contextual, and the growth of the low-wage service labor market provides a set of conditions that make the city-wide labor market a reasonable target for service sector activism.

In shifting attention away from an opposition of “the local” to “the global”, new questions about the spatial constitution of workers’ vulnerability are opened up. For low-wage service workers there is a series of challenges to the effective regulation of this

work whose spatial nature is submerged by, and different from, dominant conceptualizations of the spatial nature of labor regulation that privilege capital mobility. New forms of industrial organization that distribute workers engaged in similar activities across cities create a need for new spatial strategies of worker organization at scales other than the interregional or international. In Baltimore, two city-scale strategies have emerged: the living wage ordinance, which provides an overarching mechanisms for wage regulation; and, an effort to build a city-wide local of service workers that accounts for their mobility across worksites and occupations. As the low-wage service sector continues to expand in the United States, labor activism must respond not primarily to inter-regional and international wage competition, but rather to the fragmentation of service jobs at the intrametropolitan scale. These fixes can be overlooked when the production of scale within the global economy is the object of analysis.

A case study of the living wage approach to low-wage service expansion also offers some empirical material through which to reflect on the strain of Marxist thought which challenges local struggles to operate at higher levels of spatial and analytical abstraction than the embedded contexts that initially activate people. While this work is envisioning something more than "taking wages out of competition", it suggests a model for the creation of inter-place solidarity and struggle. In this model, local struggles must be articulated with each other through appeal to a universal conception of justice based in class struggle. Thus the articulation that occurs here is between the local and the universal. The example of the living wage movement, however, offers some partial proof for a proposition that the local traditions producing activism do not need to be rewritten in the language of a universal, but rather can be translated across space, creating a larger

shared meaning (about the working poor in the US) through a process of horizontal articulation and accretion, rather than engagement with an *a priori* analysis of capitalism. This is not to suggest that the living wage movement is more than limited reformism, or that it challenges capitalism, but merely that "the local" can exist in meaningful relations of "multiple particularisms".

Here, however, there is a need to unpack the relationship between scales of activism and scales of regulation. Scales of wage regulation that might be achieved by covering enough of a sector to take wages out of competition remain contingent on the participation of individual units of organization, that is, workplaces. Organizers in Baltimore recognize that creating a scale of wage regulation through city political mechanisms is not meaningful without articulating regulation with worker mobilization at the same time. Yet how should this articulation look, and how does it actually look in contemporary US labor activism? Herein lies a more fundamental question for labor regulation and resistance scholarship, which has tended to read prescriptions for regulation off analysis of capital flows rather than the organizational capacities of workers and unions. Just as a worksite contract will be relatively meaningless without shop-floor activism to enforce it, so too are city-scale mechanisms like living wage ordinances, and certainly national or transnational ways of homogenizing wage standards across space.

Given that 86 percent of workers in the largest economy in the world do not belong to a union, an attention to the local spatial fixes required to create capacity for solidarity at any scale should be a key agenda for research. *Intra-urban* spatial fixes to the challenges of organizing workers into activist local unions are necessary to provide

the building blocks for any form of interscale solidarity, and the articulation of these movements with higher scales of regulation remains an important area for research. Rather than positioning local activism against overarching regulatory and solidarity mechanisms then, we might instead fruitfully describe and envision the *articulation* of local forms of activism with each other and with various scales of regulation, beginning not only from the logic of capital accumulation, but also from the spheres of action within which labor struggles are embedded.

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